

APPROVED
BOARD OF DENTISTRY
MINUTES
CREDENTIALS COMMITTEE

TIME AND PLACE: The Credential Committee convened on January 25, 2008 at 1:00 p.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, VA 23233.

FIRST CONFERENCE:

PRESIDING: Misty L. Sissom, R.D.H.

MEMBERS PRESENT: Darryl J. Pirok, D.D.S.
Edward P. Snyder, D.D.S.

STAFF PRESENT: Alan Heaberlin, Deputy Director
Cheri Emma-Leigh, Operations Manager
Gail W. Ross, Adjudication Specialist

QUORUM: All three members of the Committee were present.

**MOHAMMAD ALI
TABATABAEEI-FATEMI,
D.D.S.
Case No. 116281**

Mohammad Ali Tabatabaeei-Fatemi, D.D.S. appeared without counsel to discuss his application for licensure by credentials to practice dentistry in the Commonwealth of Virginia and allegations that grounds may exist to deny issuance of a license, in that,

1. On his application received by the Board on June 4, 2007, he failed to disclose the following information.
 - a. He answered "No" to Question 3(k) which reads, "Have you ever had any malpractice claims brought against you?", despite the fact that a malpractice settlement was made on his behalf on January 17, 2002 in the amount of \$15,000, as a result of his alleged failure to provide a patient with a properly fitting bridge.
 - b. Although he answered "Yes" to Question 3(h) which reads, "Have you ever had any of the following disciplinary actions taken against your license to practice dentistry, your DEA permit, Medicare, Medicaid, or any such actions pending: suspension/revocations, or

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probations, or reprimand/cease and desist, or monitoring of practice, or limitation placed on scheduled drugs?", he failed to provide details, jurisdiction and dates on a separate page, as required.

- c. Although he answered "Yes" to Question 3(f) which reads, "Have you ever been convicted of a violation or plead Nolo Contendere, to any federal, state or local statute, regulations or ordinance, or entered into any plea bargaining relating to a felony or misdemeanor?", he failed to provide details, jurisdiction and dates on a separate page, and a copy of the disposition/record certified by the Clerk of the Court, as required.
2. By Consent Order entered on December 15, 2004, his license to practice dentistry in the State of Maryland was suspended. This action was based on his alleged billing practices, whereby he routinely billed Medicaid for services that were not performed, x-rays that were not taken, and billed for complex dental procedures when simple procedures were performed, which resulted in his exclusion from Medicaid and all other federal health care programs.
3. He failed to provide sufficient evidence to show that he has been in continuous practice for five out of the six years immediately preceding the submission of his Application for Licensure, which consists of a minimum of 600 hours of practice in a calendar year.

The Committee received Dr. Tabatabaeei-Fatemi's statements and discussed his application with him.

Closed Meeting:

Dr. Snyder moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Mohammad Ali Tabatabaeei-Fatemi, D.D.S. Additionally, Dr. Snyder moved that Board staff, Alan Heaberlin and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Gail Ross, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and passed.

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Reconvene:

Dr. Snyder moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The motion was seconded and passed.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

DECISION:

Ms. Sissom reported that the Committee found allegations 1 and 2 to be true that Dr. Tabatabaeei-Fatemi violated §§ 54.1-2706(1) and (14) of the Code. Further, Ms. Sissom stated that it is the decision of the Committee to recommend denial of Dr. Tabatabaeei-Fatemi's application to the Board at its next Board meeting on March 7, 2008. Dr. Pirok moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE:

PRESIDING:

Misty L. Sissom, R.D.H.

MEMBERS PRESENT:

Darryl J. Pirok, D.D.S.
Edward P. Snyder, D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Director
Cheri Emma-Leigh, Operations Manager
Gail Ross, Adjudication Specialist

QUORUM:

All three members of the Committee were present.

**GHAFOOR GHAMARY,
D.D.S.
Case No. 116411**

Ghafoor Ghamary, D.D.S. appeared without counsel to discuss his application for licensure by credentials to practice dentistry in the Commonwealth of Virginia and allegations that grounds may exist to deny issuance of a license, in that,

1. He did not provide documentation to show that he has been in continuous clinical practice of at least six hundred (600) hours annually for five of the last six years preceding his application.
2. He failed to submit a complete and/or accurate application as evidenced by his response to Section 2a, 2c, and 2e. Specifically:
 - a. On or about May 10, 2007, he indicated on #2a

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that he passed the Southern Regional Testing Agency (SRTA) examination in Maryland on July 15, 1983, but failed to submit to the Board an original score card from that testing agency as required. He later revised to indicate that he did not take that examination.

- b. On or about June 28, 2007, the revised Application indicated on #2c that he passed the North East Regional Board (NERB) examination but failed to specify the examination date and site, as required. Further, he failed to submit to the Board an original score card from the testing agency as required.
- c. He answered "N/A" to #2e on the Application, which requests information regarding any state examinations that he has taken. His response to #2e was false based on records provided by the District of Columbia, Maryland and California showing that he passed examinations for licensure in those states.

The Committee received statements from Dr. Ghamary and discussed his application with him.

Closed Meeting:

Dr. Snyder moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Ghafoor Ghamary, D.D.S. Additionally, Dr. Snyder moved that Board staff, Alan Heaberlin and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Gail Ross, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene:

Dr. Snyder moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The motion was seconded and passed.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

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DECISION:

Ms. Sissom reported that the Committee determined that Dr. Ghamary met the requirements for licensure and approved Dr. Ghamary's application for licensure by credentials to practice dentistry in the Commonwealth of Virginia. Dr. Pirok moved to adopt the decision of the Committee. The motion was seconded and passed.

THIRD CONFERENCE:

PRESIDING:

Misty L. Sissom, R.D.H.

MEMBERS PRESENT:

Darryl J. Pirok, D.D.S.
Edward P. Snyder, D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Director
Cheri Emma-Leigh, Operations Manager
Gail Ross, Adjudication Specialist

QUORUM:

All three members of the Committee were present.

**REZA HANGVAL, D.D.S.
Case No. 116412**

Reza Hangval, D.D.S. appeared without counsel to discuss his application for licensure by credentials to practice dentistry in the Commonwealth of Virginia and allegations that grounds may exist to deny issuance of a license, in that, by Waiver of Hearing and Consent to Discipline dated March 29, 2006, the New Mexico Board of Dental Health Care issued him a fine and required that he take 18 hours of continuing education.

The Committee received statements from Dr. Hangval and discussed his application with him.

Closed Meeting:

Dr. Snyder moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Reza Hangval, D.D.S. Additionally, Dr. Snyder moved that Board staff, Alan Heaberlin and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Gail Ross, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene:

Dr. Snyder moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The

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motion was seconded and passed.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

DECISION:

Ms. Sissom reported that the Committee determined that Dr. Hangval met the requirements for licensure and approved Dr. Hangval's application for licensure by credentials to practice dentistry in the Commonwealth of Virginia. Dr. Pirok moved to adopt the decision of the Committee. The motion was seconded and passed.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 3:34 p.m.

Misty L. Sissom, R.D.H., Chair

Sandra K. Reen, Executive Director

Date

Date